

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA, :
v. : CIVIL ACTION
Plaintiff, :
: NO. 1:12-CV-3384-CAP
\$170,055.00 IN UNITED STATES :
CURRENCY, AND \$131,995.00 IN :
UNITED STATES CURRENCY, :
Defendants. :

NOTICE OF FILING COMPLAINT FOR FORFEITURE

TO: **Lawrence J. Zimmerman, Esq.**
Attorney for Luke Nathaniel Stafford
1800 Peachtree Street, NW
Suite 300
Atlanta, GA 30309-2504

A civil complaint seeking forfeiture pursuant to 21 U.S.C. § 881 (a)(6) was filed on September 27, 2012, in the United States District Court for the Northern District of Georgia in Atlanta by Michael J. Brown, Assistant United States Attorney, on behalf of the United States of America, Plaintiff, against \$170,055.00 in United States Currency and \$131,995.00 in United States Currency, seized on or about May 23, 2012, by agents of the Drug Enforcement Administration. The Complaint alleges that said property may, for the causes stated in the Complaint, be forfeited to the United States.

To avoid forfeiture of the property, any person claiming an interest in the Defendant property must file a verified Claim in

the manner set forth in Rule G(5) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims on or before the deadline specifically stated below, which is at least 35 days after the date this notice was sent. See Rule G(5)(a). In addition, any person who files such a Claim shall file an Answer to the Complaint, or a motion under Rule 12 of the Federal Rules of Civil Procedure, not later than 21 days after the filing of the Claim. See Rule G(5)(b).

Supplemental Rule G(5)(a) provides in pertinent part: "(I) a person who asserts an interest in the Defendant property may contest the forfeiture by filing a claim in the court where the action is pending . . ." and "must (A) identify the specific property claimed; (B) identify the claimant and state the claimant's interest in the property; (C) be signed by the claimant under penalty of perjury; and (D) be served on the government attorney designated under Rule G(4)(a)(ii)(C) or (b)(ii)(D)." See Rule G(5)(a). Supplemental Rule G(5)(b) provides in pertinent part: "[a] claimant must serve and file an answer to the complaint or a motion under Rule 12 within 21 days after filing the claim."

The Claim and Answer shall be filed with the Office of the Clerk of Court, United States District Court for the Northern District of Georgia, Atlanta Division, 75 Spring Street, S.W., Suite 2201, Atlanta, Georgia 30303, with copies of each served upon

Assistant U.S. Attorney Michael J. Brown, 75 Spring Street, S.W., Suite 600, Atlanta, GA 30303.

Pursuant to Rule G(4)(b) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims¹, on October 12, 2012, Plaintiff sent this Notice by certified mail, return receipt requested, to every person who reasonably appeared to be a potential claimant to the Defendant Property on the facts known to Plaintiff. **Therefore, a verified Claim must be filed on or before November 17, 2012, and an answer to the complaint or a motion under Rule 12 within 21 days thereafter.**

This 12th day of October, 2012.

Respectfully submitted,

SALLY QUILLIAN YATES
UNITED STATES ATTORNEY

/s/ Michael J. Brown
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¹Rule G(4)(b) provides that "[t]he notice must be sent by means reasonably calculated to reach the potential claimant," and that the "[n]otice may be sent to the potential claimant or to the attorney representing the potential claimant with respect to the seizure of the property or in a related investigation, administrative forfeiture proceeding, or criminal case." Rule G(4)(b)(iii)(A) and (B).